REMARKS

Claims 1, 4-11, and 14-31 remain in the application. Claims 2, 3, 12, and 13 were cancelled in a previous amendment. Claims 1, 11, and 24 have been amended. Applicant respectfully requests reconsideration of the pending claims in light of the amendments and the following remarks.

CLAIM OBJECTIONS

The Office Action of July 19, 2007 objected to claims 4, 11, and 14-23 because of informalities. Therefore, the claims have been amended to correct the informalities.

CLAIM REJECTIONS UNDER 35 USC §112

Claims 11 and 14-23 were rejected under 35 USC 112, first paragraph, as being indefinite. Therefore, the claims have been amended as suggested.

CLAIM REJECTIONS UNDER 35 USC §103

The Office Action rejected claims 11, 14-25, and 29-31 under 35 USC 103(a) as being unpatentable over Long et al. (US 2002/0129079 A1) (hereinafter "Long") in further view Tremblay (US 2001/0042188) (hereinafter Tremblay), and Allegedly Admitted Prior Art ("AAPA").

Claim 11 has been amended to expressly require a common directory of shared variables. The combination of Long, Tremblay, and the alleged admitter prior art (AAPA) does not teach or suggest a directory of shared variables, as claimed. The Office action contends that the list of monitors of Long is the same as this element. Applicant's claims require use of the

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shared variable directory to identify and access the shared objects.

In Long's system, monitors "control" access to objects and are associated and disassociated with objects in a dynamic fashion, and one monitor can be associated with different objects during its lifetime. Shared objects in the Long system can be accessed without monitors, through some object identifier that is not specified in Long. The entries in the claimed shared variable directory act as object identifiers, providing a level of address translation between the compiler and the runtime system. They are essential to access shared objects, and are used on every reference or dereference of the shared objects. Long uses a pool of monitors to lock objects in shared space such that they are not garbage collected the same as this claim element. Therefore, the cited combination of references neither teaches nor suggests the claimed directory of shared variables.

Claims 14-23 are patentable over the cited references at least by virtue of their dependence on their patent claim 11.

Claim 24 requires creating a directory of shared variables and has been amended to state that the directory must have entries acting as object identifiers, providing a level of address translation between a compiler and the runtime system. As discussed above, that limitation is neither taught nor suggested by the cited references. Claims 25-31 are patentable over the cited references at least by virtue of their dependence on their patent claim 24.

The Office Action rejected claims 1, 4-10 and 26-28 under 35 USC 103(a) as being unpatentable over Long in further view Tremblay, and Allegedly Admitted Prior Art ("AAPA").

Claim 1 has been amended to require that the directory of shared variables include

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entries acting as object identifiers, providing a level of address translation between a compiler and the runtime system. The cited combination neither teaches nor suggests the added limitation. The pool 110 and freelist 112 of Long do not include "entries acting as object identifiers, providing a level of address translation between a compiler and the runtime system." While they are list of objects not all lists of objects are the same or equivalent of the claimed directory of shared variables.

Claims 4-10 are patentable over the cited references at least by virtue of their dependence on their patent claim 1.

On the AAPA, Applicants have not admitted that GAS languages are prior art to the instant application. To the contrary, the discussions in the background section discuss problems with such systems. MPEP section 2129 requires a "statement by an applicant identifying the work of another as prior art." There is no such statement in Applicant's specification.
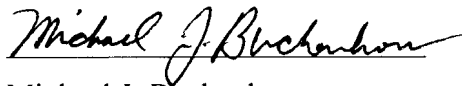
The Office Action also contends that it would have been obvious to combine Long and Tremblay "to increase throughput and speed while maintaining coherency." This is a concession that there was a problem in the art that was not solved by either Long or Tremblay. Such unsolved problems are long-felt but unresolved needs which are objective evidence of non-obviousness that must be considered. WMS Gaming, Inc. v. Int'l Game Tech., 184 F.3d 1339, 1359 (Fed. Cir. 1999).

The determination of obviousness by the Patent Office requires substantial evidence of the teachings of the claimed limitations. However, at page 5 the Office Action concludes that "it is clear to one ordinarily skilled in the art that titanium is an extension of Java. Therefore, it

would have been obvious to one ordinarily skilled in the art to use Titanium instead of Java in Long's invention in order to provided [sic, provide] shared memory programming modem abstraction that can be implemented on machines that do not provide shared evidence." This statement is a conclusion unsupported by any evidence and as such constitutes a reliance on common knowledge. Under MPEP section 2144.03 Applicant traverses the conclusion and as evidence for the traversal Applicant submits the fact that Long itself did not do what the Examiner suggests. Therefore, the rejection should be withdrawn.

For the foregoing reasons, Applicant respectfully requests allowance of the pending claims.

Respectfully submitted,

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